

REQUIRED STATEMENT TO ACCOMPANY
ALL MOTIONS TO MODIFY STAY

All Cases: Debtor(s) Paul N. Ruiz and Sharon Ruiz

Case No. 09-23613

Chapter 7

All Cases: Moving Creditor U.S. BANK, NATIONAL
ASSOCIATION, AS TRUSTEE FOR THE
CERTIFICATEHOLDERS CSMCMORTGAGE-BACKED PASS-
THROUGH CERTIFICATES, SERIES 2007-5

Date Case Filed June 29, 2009

Nature of Relief Sought: ☒ Lift Stay ☐ Annul Stay ☐ Other (describe) _____

Chapter 7: _____ No-Asset Report Filed on _____
X No-Asset Report not Filed, Date of Creditors Meeting August 12, 2009

1. Collateral
 - a. Real Property 115 South Francisco Avenue, Chicago, IL 60612
 - b. Car Year, Make and Model _____
 - c. Other (describe) _____
2. Balance owed as of Petition Date \$ 364,750.10 payoff exceeds \$407,000.00
Total of all other liens including collateral \$ _____
3. Attach a payment history, or list the months post-petition for which full payment from the debtor was not received: June 1, 2008 - July 1, 2009
4. Estimated Value of Collateral (must be supplied in all cases) \$ 354,000.00
5. Default
 - a. Pre-Petition Default
Number of months 15 Amount \$ 46,036.48
 - b. Post-Petition Default
 - i. On direct payments to the moving creditor
Number of months _____ Amount \$ _____
 - ii. On payments to the Standing Chapter 13 Trustee
Number of months _____ Amount \$ _____
6. Other Allegations
 - a. Lack of Adequate Protection § 362 (d) (1)
 - i. No Insurance _____
 - ii. Taxes Unpaid _____ Amount \$ _____
 - iii. Rapidly depreciating asset _____
 - iv. Other _____
 - b. No Equity and not Necessary for an Effective Reorganization § 362 (d) (2) X
 - c. Other "Cause" § 362 (d) (1) _____
 - i. Bad Faith (describe) _____
 - ii. Multiple filings _____
 - iii. Other (describe) _____
 - d. Debtor's Statement of Intention regarding the collateral
 - i. ☐ Reaffirm
 - ii. ☐ Redeem
 - iii. ☐ Surrender
 - iv. ☒ Retain

Date: August 12, 2009

/s/ Michael J. Kalkowski
Counsel for Movant